

29 July 2019;
03 September 2019;
17 September 2019; and
01 October 2019.

5. Taxi Licence and Animal Welfare Licence Fees

The Regulatory Service Manager introduced the report on taxi and animal welfare licence fees.

Animal Licensing:

She noted that new animal welfare regulations were introduced in October 2018 updating section 1 of the Pet Animals Act 1951. The new Regulations required a robust inspection and reporting regime and required inspecting officers to be qualified to NVQ Level 3 by October 2021. As a result, the licensing team had introduced new inspection processes for all premises such as Animal Boarding Establishments, Home Boarding, Riding Schools & Pet Shops and officers would start the NVQ training this November.

The Regulations allowed the licensing authority to recover all reasonable costs without making a profit, for the administration of the licensing function which included processing applications.

It was apparent that the officer time spent in administering this licensing function was considerably more than previously anticipated and that the existing charges of £250 plus vet fee did not reflect the true cost to the Council. A benchmarking exercise and cost recovery calculation had been carried out based on officer time and associated costs, in accordance with Government guidance and the new fees, as set out in the report, would be recommended to Cabinet as part of the Council's overall fees and charges schedule for 2020/21. The fees would then be reviewed annually.

Councillor Pond asked if the Council had enough staff to cover this extra work. The Regulatory Service Manager replied that they were looking at staff and staff training at present. All existing staff were to be trained and the proposed structure took this extra work into account. It was challenging but they hoped they had it covered especially with the new IT system.

Councillor Neville asked how many animal licences per year were issued and how much would it cost the council for the training of staff. The Licensing Team Manager said that around 120 animal licences were issued but this would be growing. Officers would also now have to score them under a five-star rating system and would have to consider new categories such as animal exhibitions as well as welfare and their transport. The Regulatory Service Manager added the cost for training each officer would be about £1500.

Councillor Sartin asked if any benchmarking had been carried out against other councils. She was told that it had been.

Taxi Licensing:

The Regulatory Service Manager said that she and the Licensing Team Manager had carried out a benchmarking exercise and a cost recovery calculation based on officer time and associated costs for proposed Taxi licence fees for 2020/21. Comparing these calculated figures against the existing taxi fees, with an annual inflation factor applied, the results were generally comparable and did not justify a full consultation

to the trade on what would be marginal adjustments. The current licence fees for 2019/20 would therefore continue to be applied for 2020/21 with the appropriate inflationary increase applied.

The report to Cabinet would propose that the fees and charges for all other activities falling within the Licensing Service for 2020/21 would be the existing fees for 2019/20 with the general uplift applied. The inflation rate used for these calculations was 2.5%, but this would be reviewed.

RESOLVED:

That the Licensing Committee noted the proposed uplift in the fees.

6. On Line Disclosure and Barring Checks

The Licensing Team Manager introduced the report on the on-line disclosure and barring checks.

The meeting noted that the Licensing Team currently carried out Disclosure & Barring checks (previously known as criminal record checks) on all applicants for taxi licences as part of its licensing responsibility to protect public safety. As an enhanced check was required it had to be applied for by the local authority and not the individual, the cost of which is paid initially by the Council and then recovered from the driver's licence fee. The process is repeated at renewal, typically every 3 years.

The online process has now been streamlined to make it simpler and less time consuming to update the existing DBS records. Following an informal discussion with the Licensing Portfolio Holder it was suggested that all applicants be required, as part of their licence condition, to register for the online Update Service and agree to allow the Council access to check the certificate at any time. The cost to the driver was currently £13 a year.

The advantages to the Council were that the Licensing Team would no longer need to process a further DBS application at licence renewal; the on-line check would provide immediate information where the current system may take several weeks; and, assuming there are no significant administrative changes to the licensee details, officers can check the status of a taxi drivers DBS certificate at any time during the licence period, not just at a new application.

The advantage to the taxi driver was that he/she could simply update the DBS records annually without having to make a further detailed paper application to the Council.

If agreed, a new condition would be added (by way of an amendment) to the Council's Taxi Driver licence conditions, to require the applicant, within 28 days, to subscribe to the DBS Update Service and to give consent to access by Council licensing officers.

Councillor Sartin said that this implied that all taxi drivers had access to the internet and a computer. She was told that officers could make something available at our offices to the odd driver that did not have access or that they could use a terminal in a library.

Councillor Whitehouse asked if this would just be for new licence applications and renewals or would it be retrospective. He was told that initially yes; every three years

drivers had to sign up and do this check. This would also enable officers to run a check quickly on any driver as needed.

Councillor Whitehouse asked if the licensing fee would be reduced to reflect that they would pay for this service. He was told that the fee would be reduced in proportion to this.

RESOLVED:

The Licensing Committee agreed that the current taxi licence conditions be amended to include the requirement for the applicant to subscribe to the DBS Update Service and to give consent for access by Council Licensing Officers.

7. Road Closures - Waiver of Fees for the Town and parish Councils on VE Day Celebrations 2020

The Licensing Team Manager introduced the report on the proposed waiver of fees for Town and Parish Councils on VE day celebrations in 2020. It was noted that Local Authorities had the power to make temporary road closures.

A similar thing was done in in 2015 when this committee waived fees for road closures for events on Remembrance Sunday for Town and Parish Councils. And in 2014 this committee had agreed to waive the road closure fees for any charitable or community events run by a Town or Parish Council for the benefit of the local community.

If members were minded to waiver the fee in the same way as Remembrance Sunday events it was important to note that all applicants requesting such a road closure must still make a valid application to the Council's Licensing Team including submission of all the relevant documents, risk assessments, public liability insurance and a road traffic management assessment. Consent to a Road Closure would only be given once the applicant had carried out the necessary consultation with the responsible authorities. Members were asked to consider if they wished to apply the same waiver to applications by members of the public for similar road closures in support of these celebrations.

In response to a question the Licensing Team Manager said that the last time this was done it was just Town & Parish Councils and charities that were exempt, never individuals. If this proposal went ahead they would still have to apply to the council and we would have to satisfy ourselves that they had met all our criteria such as insurance and consultations etc.

Asked it there were many applications from members of the public during a normal year the Licensing Team Manager said that the council received about two or three a year.

Members debated whether to extend the waiver, noting that it was not just charities, Town or Parish Councils or members of the public that may wish to put on such events; other bodies such as Town Forums or a Town Twinning Association may be planning things for this weekend.

The Committee agreed that all fees be waived for VE day celebrations, noting that the Council could still refuse an event if they did not think it was sufficiently well organised.

RESOLVED:

That the Licensing Committee agreed to waive the fees for Road Closures for the 75th Anniversary celebrations of VE day, during the May 2020 bank holiday weekend.

8. Applications Received under the Licensing Act 2003

The Committee noted the number of applications received and determinations of those applications from 3rd October 2018 to 25th September 2019.

The Committee asked if they could have, for their next meeting, comparison figures from the previous year. Officers agreed to do this.

9. Review of Licensing Sub-Committee Procedures

The Committee reviewed the proceedings of the Licensing Sub-Committee meetings held during the preceding six-month period and considered whether the procedure, policy and organisation of the Sub-Committees required review.

There were no matters to be discussed under this item.

10. Review of Current and Future Training Needs for the Committee

The Licensing Team Manager advised the Committee that they did not have the usual outside trainer attend this year as he had to cancel due to sickness. However, they could arrange to have James Button give a training session to members of the committee. He specialised in Taxi law and would concentrate mostly on this.

Also, the Team Manager could also carry out one to one training sessions with any committee member if they wanted a refresher.

The Committee noted that the building facilities would not be available for the next six months or so due to refurbishments, so it could not be guaranteed that a room would be available to hold the training session in. With this in mind, the committee agreed that a training session with an outside trainer should not be held until June, after annual Council, and the appointment of any new members.

AGREED: that an outside trainer be scheduled for after the annual council meeting and the appointment of any new Licensing Committee members.

The Regulatory Service manager asked the committee to consider the frequency of having an outside trainer attend every year, as they were very expensive. She proposed that this be arranged for every other year, with in house training in the fallow years.

AGREED: that an outside trainer attend every other year and that in-house training be given in the in between years.

11. Matters Arising**High Ongar Music Festival**

The Committee were given a quick update on the recently held music festival at High Ongar. Licensing Officers had stayed at the festival all day, in shifts, observing the

event. There did not appear to have been any problems with the roads and traffic as this had been specifically brought up at the hearing when permission had been granted.

Taxi CCTV

Councillor Pond asked if officers had considered the installation of CCTV cameras in taxis. The Regulatory Service manager said that this was something that officers were thinking about and would present a report at the next meeting.

12. Date of Next Meeting

The Committee noted the date for their next meeting, 1st April 2020.

CHAIRMAN